

To: Santacroce, Jeffrey[Santacroce.Jeffrey@epa.gov]; Sirmons, Chandler[Sirmons.Chandler@epa.gov]
Cc: Ballard, Darryl[Ballard.Darryl@epa.gov]
From: Leopard, Matthew
Sent: Thur 1/23/2014 9:43:38 PM
Subject: Fw: Yet another chemical identified as present in West Virginia chemical spill CAS # 770-35-4???

Fyi pls let us know asap . Thanks
Sent from my BlackBerry 10 smartphone.

From: Morris, Jeff
Sent: Thursday, January 23, 2014 4:39 PM
To: Santacroce, Jeffrey; Leopard, Matthew
Cc: Ballard, Darryl; Sirmons, Chandler; Sherlock, Scott; Henry, Tala
Subject: RE: Yet another chemical identified as present in West Virginia chemical spill CAS # 770-35-4

Is the 8(e) CBI?

-----Original Message-----

From: Santacroce, Jeffrey
Sent: Thursday, January 23, 2014 2:18 PM
To: Morris, Jeff; Leopard, Matthew
Cc: Ballard, Darryl; Sirmons, Chandler; Sherlock, Scott; Henry, Tala
Subject: RE: Yet another chemical identified as present in West Virginia chemical spill CAS # 770-35-4

CBITS lists the following CBI claims for two submissions related to this CAS number:
submitter, volume, use, process, environmental release and other.

Jeff Santacroce
Physical Scientist
Records and Docket Management Branch
Information Management Division
Office of Chemical Safety and Pollution Prevention U.S. Environmental Protection Agency
Phone: 202-564-2818
Email: santacroce.jeffrey@epa.gov

-----Original Message-----

From: Morris, Jeff
Sent: Thursday, January 23, 2014 11:34 AM
To: Santacroce, Jeffrey; Leopard, Matthew
Cc: Ballard, Darryl; Sirmons, Chandler; Sherlock, Scott; Henry, Tala
Subject: RE: Yet another chemical identified as present in West Virginia chemical spill CAS # 770-35-4

Jeff,

Many thanks. The other chemical we were looking at is CAS no. 51730-94-0. This is the one RAD found a PMN for.

-----Original Message-----

From: Santacroce, Jeffrey

Sent: Thursday, January 23, 2014 10:04 AM

To: Morris, Jeff; Leopard, Matthew

Cc: Ballard, Darryl; Sirmons, Chandler; Sherlock, Scott

Subject: RE: Yet another chemical identified as present in West Virginia chemical spill CAS # 770-35-4

Jeff and Matt,

I queried the TSCATS and CBITS databases and found 6 related submissions for CAS number 770-35-4. The submissions include 1 PMN, 3 8Ds, 1 8E and 1 FYI. Two of the 8Ds are listed as non-CBI in TSCATS, the FYI CBI indicator was null in TSCATS and the remaining submissions, 1 PMN and 1 8D, were listed as CBI in CBITS. According to the CBITS CBI claims codes the PMN contained the following CBI information: submitter, chem, use, properties, exposure, plant site and process. It also has a claims code 11 which applies to non-section 5 documents for export date according to the CBITS manual (see attached). The 8D contained properties, mixture and privacy CBI information.

Jeff Santacroce

Physical Scientist

Records and Docket Management Branch

Information Management Division

Office of Chemical Safety and Pollution Prevention U.S. Environmental Protection Agency

Phone: 202-564-2818

Email: santacroce.jeffrey@epa.gov

-----Original Message-----

From: Morris, Jeff

Sent: Wednesday, January 22, 2014 12:59 PM

To: Leopard, Matthew

Cc: Santacroce, Jeffrey; Ballard, Darryl; Sirmons, Chandler

Subject: RE: Yet another chemical identified as present in West Virginia chemical spill CAS # 770-35-4

Matt,

It would be good to know more sooner than later whether any CBI was claimed for CAS # 770-35-4. Thanks.

Jeff

-----Original Message-----

From: Sherlock, Scott

Sent: Wednesday, January 22, 2014 12:19 PM

To: Sadowsky, Don; Morris, Jeff

Cc: Grant, Brian; Leopard, Matthew; Santacroce, Jeffrey; Ballard, Darryl; Sirmons, Chandler; Petrole, MaryAnn

Subject: RE: Yet another chemical identified as present in West Virginia chemical spill CAS # 770-35-4

I am copying IMD staff who will have access to the CDR and study indexes

-----Original Message-----

From: Sadowsky, Don

Sent: Wednesday, January 22, 2014 12:12 PM

To: Morris, Jeff

Cc: Sherlock, Scott; Grant, Brian

Subject: RE: Yet another chemical identified as present in West Virginia chemical spill

Thanks, Jeff. Do you know what CDR and study data have been claimed as confidential, if anything?

Donald A. Sadowsky

Pesticides and Toxic Substances Law Office Office of General Counsel U.S. Environmental Protection Agency

1200 Pennsylvania Avenue, N.W. 20460

(202) 564-5638

From: Morris, Jeff

Sent: Wednesday, January 22, 2014 12:07 PM

To: Sadowsky, Don

Subject: RE: Yet another chemical identified as present in West Virginia chemical spill

Don,

We have CDR info on propylene glycol ether (CAS # 770-35-4). Also, PPH was an OECD SIDS case (sponsored by US)...part of a Propylene Glycol Phenyl Ether Category, so we have SIDS data. Attached is a summary.

Jeff

-----Original Message-----

From: Flattery, Priscilla

Sent: Wednesday, January 22, 2014 12:01 PM

To: Sadowsky, Don

Cc: Morris, Jeff

Subject: RE: Yet another chemical identified as present in West Virginia chemical spill

Don -- Jeff's been tracking this down for us so I'll let him update you on status.

Priscilla Flattery
Chief of Staff, OPPT
202-564-2718

-----Original Message-----

From: Sadowsky, Don
Sent: Wednesday, January 22, 2014 10:06 AM
To: Flattery, Priscilla
Subject: FW: Yet another chemical identified as present in West Virginia chemical spill

Hey, Priscilla, see the thread below. Do you know if there is there an actual TSCA connection here, or who would know?

Thanks.

Donald A. Sadowsky
Pesticides and Toxic Substances Law Office Office of General Counsel U.S. Environmental
Protection Agency
1200 Pennsylvania Avenue, N.W. 20460
(202) 564-5638

From: Sadowsky, Don
Sent: Wednesday, January 22, 2014 9:47 AM
To: Blunck, Christopher
Subject: RE: Yet another chemical identified as present in West Virginia chemical spill

I don't know what, if anything, has been reported under TSCA. I just figured there was some TSCA-related reason why Wendy forwarded the message to Jim and Jim wanted to look into disclosure.

Who might know?

Donald A. Sadowsky
Pesticides and Toxic Substances Law Office Office of General Counsel U.S. Environmental
Protection Agency
1200 Pennsylvania Avenue, N.W. 20460
(202) 564-5638

From: Blunck, Christopher

Sent: Wednesday, January 22, 2014 9:46 AM
To: Sadowsky, Don
Subject: RE: Yet another chemical identified as present in West Virginia chemical spill

First I have seen of it. (Not really TSCA CBI at the moment, is it -- or have they reported something under TSCA? Dennison makes it sound like we have info others do not) Hope you get over your cold quickly!

Chris Blunck
Office of Pollution Prevention and Toxics USEPA
202-564-8078

From: Sadowsky, Don
Sent: Wednesday, January 22, 2014 9:29 AM
To: Blunck, Christopher
Subject: FW: Yet another chemical identified as present in West Virginia chemical spill

Hey, Chris, hope you're staying warm.

See the thread below. I don't know if Scott is around, but I haven't been able to reach him. Do you know anything about this?

Thanks.

Donald A. Sadowsky
Pesticides and Toxic Substances Law Office Office of General Counsel U.S. Environmental
Protection Agency
1200 Pennsylvania Avenue, N.W. 20460
(202) 564-5638

From: Sadowsky, Don
Sent: Wednesday, January 22, 2014 8:04 AM
To: Sherlock, Scott
Cc: Nguyen, Quoc
Subject: FW: Yet another chemical identified as present in West Virginia chemical spill

Hey, Scott, can you give me some background on this? If you can respond by email, that would be great, I'm working at home Ex. 6 - Personal Privacy but a cold is making talking difficult, and I want to limit it.

Thanks.

Donald A. Sadowsky
Pesticides and Toxic Substances Law Office Office of General Counsel U.S. Environmental
Protection Agency
1200 Pennsylvania Avenue, N.W. 20460
(202) 564-5638

From: Mclean, Kevin
Sent: Wednesday, January 22, 2014 7:56 AM
To: Sadowsky, Don
Cc: Grant, Brian
Subject: FW: Yet another chemical identified as present in West Virginia chemical spill

Not sure if Brian is back yet or not but I was wondering if this was something you would be the right person for Don. Thanks. (If you're not, do you know who would be?)

From: Jones, Jim
Sent: Wednesday, January 22, 2014 6:52 AM
To: Cleland-Hamnett, Wendy
Cc: Grant, Brian; Mclean, Kevin
Subject: Re: Yet another chemical identified as present in West Virginia chemical spill

Assuming RD is correct about the proprietary claim we should work with OGC to determine what is necessary to release chem Identity. Copying Kevin M and Brian G. Jim

From: Cleland-Hamnett, Wendy
Sent: Wednesday, January 22, 2014 6:13:12 AM
To: Jones, Jim
Subject: Fw: Yet another chemical identified as present in West Virginia chemical spill

From: noreply+feedproxy@google.com <noreply+feedproxy@google.com> on behalf of EDF Health <edfwebteam@gmail.com>
Sent: Wednesday, January 22, 2014 2:49:18 AM
To: Cleland-Hamnett, Wendy
Subject: Yet another chemical identified as present in West Virginia chemical spill

Yet another chemical identified as present in West Virginia chemical spill<<http://blogs.edf.org/health>>

Yet another chemical identified as present in West Virginia chemical spill<http://feedproxy.google.com/~r/nanotechnologynotes/~3/I9DQVIjI0nY/?utm_source=feedburner&utm_medium=email>

Posted: 21 Jan 2014 06:13 PM PST

By Richard Denison<<http://www.environmentaldefense.org/page.cfm?tagID=908>>

Richard Denison, Ph.D.<<http://environmentaldefense.org/page.cfm?tagID=908>>, is a Senior Scientist.

Just when you thought this story couldn't get any weirder or worse, it has just been revealed that another chemical substance was present alongside the crude MCHM mixture that leaked into the Elk River and contaminated the drinking water of 300,000 West Virginia residents.

A story published late today in the Charleston Gazette by Ken Ward, Jr.<<http://www.wvgazette.com/News/201401210072>>, reports that the U.S. Environmental Protection Agency (EPA) has told officials that a chemical identified as "PPH, stripped" was present in the leaking tank at a level of 5.6%. A Material Safety Data Sheet (MSDS) for the substance<<http://blogs.edf.org/health/files/2014/01/MSDS-for-PPH.pdf>>, provided by the Gazette, describes the substance as consisting of 100% "polyglycol ethers" - but withholds the substance's specific chemical identity as "proprietary."

And while the scant toxicity data provided on the substance in the MSDS suggest it has lower acute oral toxicity than the crude MCHM mixture - at least for what is called the "majority component" (suggesting that this substance, too, is a mixture) - the MSDS notes that "PPH, stripped" is a "serious eye irritant" and a skin irritant.

It has already been reported by the Charleston Gazette<<http://www.wvgazette.com/News/201401180073>> that some residents making hospital visits did so because of rashes or other skin irritation; other reports<<https://www.commondreams.org/headline/2014/01/20-0>> indicate eye irritation among residents as well. It should be noted that the MSDS for crude MCHM<http://mediad.publicbroadcasting.net/p/wvvp/files/201401/MSDS-MCHM_I140109214955.pdf> reports that it is also a skin and eye irritant.

Some quick searches I've done tonight for "PPH" and "PPH, stripped" - including one using ChemIDPlus<<http://chem.sis.nlm.nih.gov/chemidplus/>>, a large chemical database maintained by the National Library of Medicine, have not yielded further information.

All this means yet more questions and more uncertainty for West Virginia residents. A few:

- How did EPA learn of the presence of this new chemical in the spilled material? So far, EPA's not talking.

- Why did it take 12 days for this information to come out? And then, not from the company, Freedom Industries, that owns and operates the leaking tank?
- Has this chemical been monitored for in the river and drinking water samples? (Presumably not, since its presence was just revealed.)
- Who makes PPH, and will they now reveal its identity given the massive human exposure that has occurred?
- Or will EPA exercise its rarely used authority under the Toxic Substances Control Act (TSCA) to compel disclosure of the identity of PPH? Section 14(a)(3) of TSCA<<http://www.law.cornell.edu/uscode/text/15/2613>> provides that confidential business information "shall be disclosed if the [EPA] Administrator determines it necessary to protect health or the environment against an unreasonable risk of injury to health or the environment."

Surely, this is such a case.

You are subscribed to email updates from EDF Health<<http://blogs.edf.org/health>>
To stop receiving these emails, you may unsubscribe
now<<http://feedburner.google.com/fb/a/mailunsubscribe?k=lZYum7-SDRHC3cb7ZDXtICMcDDk>>. Email delivery powered by Google
Google Inc., 20 West Kinzie, Chicago IL USA 60610